

MEMO ENDORSED

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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CHANG YAN CHEN,
on behalf of himself and others similarly situated,
Plaintiff,

v.

LILIS 200 WEST 57TH CORP.
d/b/a Lili's 57 Asian Cuisine & Sushi Bar,
792 RESTAURANT FOOD CORP.
d/b/a Lilli and Loo,
ALAN PHILLIPS,
JONAH PHILLIPS,
THEAN CHOO CHONG
a/k/a Alfred Chong,
SIEW MOY LOW
a/k/a Maggie Low,
EPHAN "DOE", and
"MIGI" DOE,

Defendants.
-----X

Case No. 19-cv-07654

**MOTION FOR
RECONSIDERATION**

PLEASE TAKE NOTICE that upon the Memorandum of Law, and upon all prior pleadings herein, the undersigned shall move this Court, at the United States Courthouse for the Southern District of New York at 500 Pearl Street, New York, NY 10007, before the Honorable Valerie E. Caproni for an order reversing Honorable Valerie Caproni's decision on Plaintiffs request for an extension of time to complete discovery and granting plaintiffs an extension of time to complete Discovery in above referenced matter to August 15, 2022.

Dated: June 7, 2022
Flushing, NY

Respectfully Submitted,
TROY LAW, PLLC
Attorney for Plaintiffs

/s/ John Troy
John Troy, Esq.
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Plaintiffs' motion is DENIED. Contrary to their representations in support of the instant motion, *see* Pls. Mem., Dkt. 118 at 6-8, depositions proceeded later in the discovery period because Plaintiffs rescheduled a deposition at the eleventh-hour and then failed to respond to Defendants' attorney's request to set a new date or to confirm an additional deposition, *see* Status Report, Dkt. 108 at 2. Plaintiffs did not serve any deposition notices or proposed dates for the deposition of any Defendants until the Court ordered them to do so on June 10, 2022, three days before the original discovery deadline, which the Court extended. *Id.* at 3; *see also* Order, Dkt. 109; *see also* Defs. Letter, Dkt. 115 at 1. A motion for reconsideration will only be granted when the movant identifies “an intervening change of controlling law, the availability of new evidence, or the need to correct a clear error or prevent manifest injustice.” *Kolel Beth Yechiel Mechil of Tartikov, Inc. v. YLL Irrevocable Tr.*, 729 F.3d 99, 104 (2d Cir. 2013) (citation omitted). Because Plaintiffs have not identified an intervening change in law; new evidence; or the need to correct clear error or prevent manifest injustice, their motion is denied.

The Clerk of Court is respectfully directed to close the open motion at Docket 117.

SO ORDERED.

 7/7/22

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE